

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SV PRODUCE, INC.,  
Plaintiff,

-v-

EMPORIUM FRESH-ISLIP, LTD., *et al.*,  
Defendants.

19-CV-5036 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

As noted by Magistrate Judge Ona Wang, despite the failure of Defendants to respond to the complaint, Plaintiff has not sought a default judgment. (Dkt. No. 20.) The Court has been informed that the Plaintiff cannot locate a copy of its complaint. However, a copy of the complaint is necessary for this Court to grant any potential motion for default judgment. *See* Local Civil Rule 55.2(b).

Accordingly, if Plaintiff does not move for default judgment and file a copy of the complaint on or before February 17, 2020, this action will be dismissed for failure to prosecute.

SO ORDERED.

Dated: January 6, 2020  
New York, New York



J. PAUL OETKEN  
United States District Judge